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09/749,798	12/28/2000	Thomas E. Donaldson	06975-146001/ Search2	6269

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EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2171

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DATE MAILED: 07/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/749,798

Applicant(s)

DONALDSON ET AL.

Examiner

Cindy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 16.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## **DETAILED ACTION**

This is in response to amendment filed 6/23/2003.

### **1. *Information Disclosure Statement***

The information disclosure statement filed on 6/23/2003 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. Because they have been placed in the application file, and the information referred to therein has been considered as to the merits.

### **2. *Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**3. Claims 1-6, 9, 10-12 and 14-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wical (U.S 5940821) in view of Russell-Falla et al. (U.S 6266664) (Russell).**

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Regarding claims 1 and 16, Wical disclose: A method and a system for searching different data stores based on a classification of a search term (col. 4, lines 16-30, Wical), the method comprising:

receiving at least one search term (col. 8, lines 39-55, Wical);

classifying the search term among at least first and second categories (col. 10, lines 24-30, Wical);

when the search term is classified within the first category, comparing the search term to first electronic information within a first electronic information store to determine whether matches exist (col. 9, lines 17-24, Wical);

displaying a result based on the matches that are determined to exist (col. 9, lines 47-59, Wical);

However, Wical didn't disclose: when the search term is classified within the second category, comparing the search term to at least second electronic information within at least a second electronic information store that differs from the first electronic information store to determine whether matches exist. On the other hand, Russell disclose: when the search term is classified within the second category comparing the search term to at least second electronic information within at least a second electronic information store that differs from the first electronic information store to determine whether matches exist (col. 4, lines 61 to col. 5, lines 19, Russell). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the step to compare the second electronic information store in the system of Wical as taught by Russell. The motivation being to query the difference kind of information store in the databases.

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Regarding claim 2, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Wical/Russell disclose: wherein comparing the search term when the search term is classified within the second category comprises comparing the search term to the first electronic information within the first electronic information store (col. 22, lines 16-25, Wical) and to the second electronic information within the second electronic information store (col. 5, lines 9-20, Russell). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the step to compare the second electronic information store in the system of Wical as taught by Russell. The motivation being to query the difference kind of information store in the databases.

Regarding claim 3, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Wical/Russell disclose: wherein: receiving at least one search term comprises receiving several search terms and grouping the search terms received as a single string (col. 10, lines 13-22, Wical);

classifying the search term comprises classifying the single string of search terms among at least first and second categories (col. 10, lines 24-39, Wical);

comparing the search term when the single string of search terms is classified within the first category comprises comparing the single string of search terms to the first electronic information within the first electronic information store to determine whether matches exist (col. 9, lines 7-24, Wical); and

comparing the search term when the single string of search terms is classified within the second category comprises comparing the single string of search terms to the second electronic

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information within the second electronic information store to determine whether matches exist (col. 5, lines 9-20, Russell). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the step to compare the second electronic information store in the system of Wical as taught by Russell. The motivation being to query the difference kind of information store in the databases.

Regarding claim 4, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Wical/Russell disclose: wherein the first electronic information includes contents relating to non-offensive web sites (col. 25, lines 27-45, Wical); the second electronic information includes contents relating to offensive web sites (col. 5, lines 9-20, Russell). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the offensive web sites in the system of Wical as taught by Russell. The motivation being to screen for offensive materials from web sites.

Regarding claim 5, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Wical/Russell disclose: wherein the method is performed by a web host having members (col. 25, lines 27-45, Wical) and the method further comprises:

automatically scanning contents of a web site when the web site is accessed by members of the web host (col. 7, line 60-67, Wical);

classifying the contents of the web site among at least one of the first electronic information within the first electronic information store and the second electronic information within the second electronic information store(col. 10, lines 40-61, Wical);

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storing the contents of the web site in the first electronic information within the first electronic information store when the contents of the web site are classified among the first electronic information (col. 29, lines 52-67, Wical); and

storing the contents of the web site in the second electronic information within the second electronic information store when the contents of the web site are classified among the second electronic information (col. 8, lines 1-3, Russell). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the step of storing the contents of the web site in the system of Wical as taught by Russell. The motivation being to enable users to store the classified information in separate database for managing data in storages.

Regarding claim 14, Wical/Russell disclose: A system for storing searchable and retrievable content among more than one distinct electronic information store, comprising:

a first electronic information store having at least a first type of searchable and retrievable content that includes searchable and retrievable content that has been classified as non-offensive(col. 10, lines 40-61, Wical); and

a second electronic information store having at least a second type of searchable and retrievable content that includes searchable and retrievable content that has been classified as offensive (col. 4, lines 61 to col. 5, lines 19, Russell), wherein the first electronic information store is at least logically distinct from the second electronic information store to enable controls over access to the searchable and retrievable content included within the first electronic information store and the second electronic information store (col. 2, lines 63 to col. 3, lines 9, Russell). Thus, at the time invention was made, it would have been obvious to a person of

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ordinary skill in the art to include the step to classify as offensive data information and control the user access to the offensive web page in the system of Wical as taught by Russell. The motivation being to query the difference kind of information store in the databases and help the users control over web page content offensive data displayed to their children.

Regarding claims 6 and 15, all the limitations of these claims have been noted in the rejection of claims 5 and 14. In addition, Wical/Russell disclose: wherein the first electronic information store is located on a first server (col. 5, lines 57-60, Wical) and the second electronic information store is located on a second server that differs from the first server (10, fig. 1 and corresponding text, Russell). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include more than one server that differs from the first server in the system of Wical as taught by Russell. The motivation being to enable users to store classify information in different database server for easy to control the data in network system.

Regarding claims 9 and 19, all the limitations of these claims have been noted in the rejection of claims 1 and 5. It is therefore rejected as set forth above.

Regarding claim 10, all the limitations of this claim have been noted in the rejection of claim 9. In addition, Wical//Russell disclose: wherein the classifying is based on searchable and retrievable content received from a listing service (col. 25, lines 61 to col. 26, lines 8, Wical).



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Regarding claim 11, all the limitations of this claim have been noted in the rejection of claim 9. In addition, Wical/Russell disclose: wherein the classifying is based on searchable and retrievable the content itself (col. 26, lines 32-55, Wical).

Regarding claim 12, all the limitations of this claim have been noted in the rejection of claim 9. In addition, Wical/Russell disclose: wherein the first electronic information store includes non-offensive searchable and retrievable content (col. 26, lines 32-55, Wical).

Regarding claims 17 and 20, all the limitations of these claims have been noted in the rejection of claims 16 and 19, respectively. In addition, Wical/Russell disclose: wherein the computer readable medium comprises a propagated signal (col. 8, lines 11-20, Russell). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include a propagated signal in the system of Wical as taught by Russell. The motivation being to use the signal to provide the instructions to process information in search and retrieval system.

Regarding claims 18 and 21, all the limitations of these claims have been noted in the rejection of claims 17 and 20, respectively. In addition, Wical/Russell disclose: wherein the propagated signal comprises a carrier wave (col. 8, lines 11-20, Russell).

**4. Claims 7, 8, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wical (U.S 5940821) in view of Russell-Falla et al. (U.S 6266664) (Russell) and further in view of Belfiore et al. (U.S 6038610) (Belfiore).**

Regarding claim 7, all the limitations of this claim have been noted in the rejection of claim 1. However, Wical/Russell didn't disclose: wherein the first electronic information includes full text, titles, descriptions, and addresses of web sites such that the comparing the search term to the first electronic information within the first electronic information store comprises comparing the search term to the full text, the titles, the descriptions, and the addresses of web sites to determine whether matches exist. On the other hand, Belfiore disclose: wherein the first electronic information includes full text, titles, descriptions, and addresses of web sites such that the comparing the search term to the first electronic information within the first electronic information store comprises comparing the search term to the full text, the titles, the descriptions, and the addresses of web sites to determine whether matches exist (col. 4, lines 58 to col. 5, lines 23, Belfiore). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the step of comparing the search term to the full text, the titles, the descriptions, and the addresses of web sites to determine whether matches exist in the combination system of Wical and Russell as taught by Belfiore. The motivation being to enable users to choose the most relevant hits without the loss of information.

Regarding claim 8, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Wical/Russell/Belfiore disclose: wherein the second electronic information includes full text, titles, descriptions, and addresses of web sites such that the comparing the search term to the second electronic information within the second electronic information store comprise comparing the search term to the full text, the titles, the descriptions, and the addresses of web sites to determine whether matches exist (col. 4, lines 58 to col. 5, lines 23, Belfiore).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 12. In addition, Wical/Russell/Belfiore disclose: wherein the second electronic information store includes offensive searchable and retrievable content (col. 2, lines 59-65, Belfiore). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the second electronic information store includes offensive searchable and retrievable content in the system of Wical as taught by Russell. The motivation being to query the difference kind of information store in the databases and help the users control over web page content offensive data displayed to their children.

**5. Response to arguments (filed 06/23/03)**

Applicant's arguments have been considered, but are moot in view of the new ground(s) of rejection.

**6. Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*CW*

Cindy Nguyen

July 11, 2003

*Frantz Coby*  
**FRANTZ COBY**  
**PRIMARY EXAMINER**